



# Southwestern Willow Flycatcher Critical Habitat Update

## September 2004

### Why critical habitat designation?

Under the Endangered Species Act, “critical habitat” identifies geographic areas that contain features essential for the conservation of a threatened or endangered species and may require special management considerations. For the southwestern willow flycatcher, these are areas that can support very dense, early-succession, riparian vegetation associated with surface water or wetted soils. The designation of critical habitat does not affect land ownership or establish a refuge, wilderness, reserve, preserve, or other conservation area. It does not allow government or public access to private lands.

The southwestern willow flycatcher is already protected from “take” (harassment, harming, killing, etc.) under the basic protection provided when it was added to the Federal list of endangered species in 1995.

Flycatcher critical habitat will receive protection from destruction or adverse modification resulting from actions carried out, funded, or authorized by a Federal agency by requiring agencies to consult with the Fish and Wildlife Service.

### What has been done so far?

#### Scoping

Public scoping is a process designed to involve community members in decisions that affect their communities and to meet requirements of the National Environmental Policy Act (NEPA). For the Southwestern Willow Flycatcher Critical Habitat Designation proposal, scoping lasted from January 21, 2004 to March 8th, 2004. During that time we traveled to communities throughout the Southwest meeting with community leaders and hosting public forums to request information and gather input on the proposal.

### What are the concerns of the public?

Community members commented at public meetings and mailed and emailed their written comments, concerns and information to our Arizona Ecological Services Field Office.

#### *Here's a sample of what we heard:*

Purpose of, and Need for Project –  
“Flycatcher critical habitat designation (CHD) is necessary for species survival and recovery.”  
“CHD is unnecessary for the survival of the flycatcher.”

Suggestions for Designation –  
“A broad-based approach should be used when designating critical habitat.”  
“Habitat should be designed considering local conditions and use local knowledge.”

Agricultural Issues –  
“There are potentially negative influences of the designation on the grazing industry and livestock operations.”  
“Grazing and farming on the land bordering southwestern willow flycatcher habitat could negatively affect flycatcher survival.”

Economic Issues –  
“The cost of CHD including analysis, administration and implementation should not be passed onto taxpayers.”  
“CHD will have a negative economic impact on grazing, logging, mining, agricultural, land development, tourism and dam operations within many communities.”

Riparian Habitat and Vegetation Issues –  
“CHD needs to protect existing riparian areas.”  
“Exotic and invasive species control efforts may be complicated or stymied by CHD.”

#### Social Issues –

“CHD will unfairly impact minority groups, Native American tribes, rural communities and low-income families.”  
“CHD will impact recreational activities, specifically in communities that rely heavily on tourism.”

#### Water Issues –

“CHD can enhance water conservation by maintaining riparian habitat to regulate flood flows.”  
“CHD may negatively impact available water resources by constraining supply projects, water diversions, water delivery, water rights, irrigation, storage and floodway maintenance.”

#### Wildlife & Fisheries Issues –

“CHD must consider entire ecosystems and include recovery programs for other endangered and threatened species as well as game species.”

For an in-depth scoping report, contact us or visit: <http://arizonaes.fws.gov>

While working collaboratively with the public, we received both published and unpublished literature outlining existing management plans, historically occupied areas and increasing and decreasing threats.

We look forward to receiving updated information, Tribal management plans, Habitat Conservation Plans, etc. in the coming comment period.

#### *Public Scoping Meetings held earlier this year:*

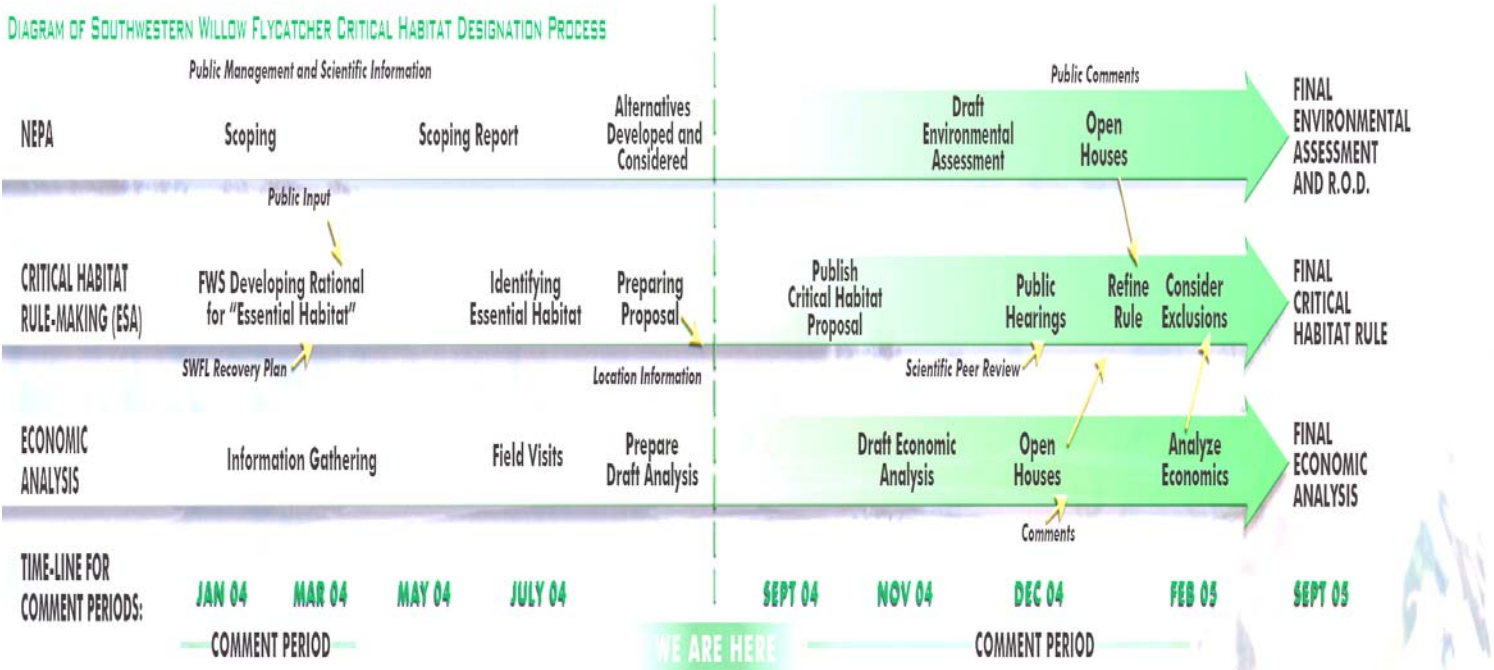
January 26, 2004 – Phoenix, AZ  
January 27, 2004 – Silver City, NM  
January 28, 2004 – Albuquerque, NM  
January 29, 2004 – Alamosa, CO  
February 2, 2004 – Las Vegas, NV  
February 3, 2004 – Lake Isabella, CA  
February 4, 2004 – Corona /Chino, CA  
February 5, 2004 – Escondido, CA

### Developing a critical habitat proposal

We are using the best scientific information available on flycatcher conservation and input from local residents, area industries and the conservation and scientific community to develop and refine a conservation strategy and identify drainages and populations essential to the conservation of the subspecies. We are presently refining these concepts and stream-, wetland-, and lake-edge habitats that provide adequate flycatcher population stability, assure that birds can expand and colonize other locales, and provide for genetic flow among populations.



*Southwestern Willow Flycatcher*



The width of proposed critical habitat areas is being evaluated to accommodate the shifting and flooding nature of Southwest rivers — allowing habitat to persist, grow, recycle, and regenerate.

**Analyzing the economic effects of critical habitat**

An analysis of the economic effects of critical habitat is in progress. Our economists have met with stakeholders, including Tribal members, in AZ, NM, and CA. We anticipate having a draft ready for public review in mid-November 2004. When the draft analysis becomes available, economists will be available to discuss the analysis and results at public meetings. Your comments on the economic analysis can be submitted to our Arizona Ecological Services Field Office. Your comments

and the final economic analysis will be very important as we consider areas that may warrant exclusion from final critical habitat designation.

**Where do we go from here?**

We will publish the southwestern willow flycatcher critical habitat proposal early October 2004 and anticipate publishing a notice making available for public comment the draft environmental assessment in compliance with NEPA and the draft economic analysis in late November or early December 2004. We will provide an opportunity to comment on these and will conduct open houses and public hearings to gather your input. Your comments on these documents and additional or updated information will be important to our critical habitat determination.

*Thank you!*  
*Thank you for your input and willingness to share your comments with us. We appreciate your involvement in the Southwestern Willow Flycatcher Critical Habitat Designation Proposal.*

All of the information received was considered by us when we developed the rationale for the current proposal. All comments received during the public comment period on the proposed rule, draft economic analysis, and draft environmental assessment will be addressed in the final rule that must be signed pursuant to the Court’s order on or by September 30, 2005.

**September 2004**

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